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07 UNITED STATES DISTRICT COURT
08 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

09 UNITED STATES OF AMERICA,) CASE NO.: CR03-278-TSZ
10 Plaintiff,)
11 v.) SUMMARY REPORT OF U.S.
12 JEROME EUGENE TODD,) MAGISTRATE JUDGE AS TO
13 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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15 An evidentiary hearing on supervised release revocation in this case was scheduled before
16 me on July 1, 2005. The United States was represented by AUSA Karyn S. Johnson and the
17 defendant by Jennifer Horowitz. The proceedings were recorded on cassette tape.

18 Defendant had been sentenced on or about September 24, 2004 by the Honorable Thomas
19 S. Zilly on three charges of Bank Fraud and sentenced to one day custody with credit for time
20 served, five years supervised release. (DKT 42)

21 The conditions of supervised release included requirements that defendant comply with all
22 local, state, and federal laws and with the standard conditions of supervision. Other special
23 conditions included no firearms, narcotic addiction or drug dependency treatment and testing,
24 refrain from alcohol and other intoxicants, submit to search, restitution in the amount of \$18,400
25 imposed jointly and severally with co-defendants, provide access to financial information upon
26 request, maintain a single checking account, provide information to probation officer of any

businesses operated by defendant, disclose all assets and liabilities, no new credit without permission, and do not possess any identification documents in any but defendant's true name.

On November 3, 2004 defendant's probation officer reported that defendant violated the conditions of supervised release by using marijuana and failing to be truthful to his probation officer by denying the use of marijuana. (DKT 43) The defendant was reprimanded, and placed in a structured testing program, and no further action was taken at that time.

In an application dated June 6, 2005, U.S. Probation Officer Steven R. Gregoryk alleged the following violation of the conditions of supervised release:

1. Using marijuana on or before October 17, 2004 in violation of standard condition No. 7.

2. Failing to be truthful with his probation officer on October 28, 2004 in violation of standard condition No. 3.

3. Failing to notify the probation officer at least 10 days prior to any change in residence, in violation of standard condition No. 6.

4. Failing to report to the probation officer on June 2, 2005 and June 6, 2005 in violation of standard condition No. 2. (DKT 44)

Defendant was advised in full as to those charges and as to his constitutional rights.

Defendant admitted each of the alleged violations and waived any evidentiary hearing as to whether they occurred.

I therefore recommend the Court find defendant violated his supervised release as alleged and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be set before Judge Zilly.

Pending a final determination by the Court, defendant was released to a half way house.

DATED this 1st day of July, 2005.



Mary Alice Theiler
United States Magistrate Judge

cc: District Judge: Honorable Thomas S. Zilly
AUSA: Karyn S. Johnson
Defendant's attorney: Jennifer Horowitz
Probation officer: Steven Gregoryk